

Amendment dated February 27, 2008

Reply to Office Action of September 27, 2007

**REMARKS/ARGUMENTS**

Claims 1-2, 5, 10, and 13-18 are pending. By this Amendment, claims 1, 5, 13, and 16-17 are amended, claims 3-4, 6-9, and 11-12 are canceled without prejudice or disclaimer, and claim 18 is added. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

The Office Action rejected claims 1-2, 4-5, and 10 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement and rejected claims 1-2, 4-5, and 7-17 under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Claims 4, 6-9, and 11-12 have been canceled. The Examiner's comments have been addressed in amending the remaining claims. Accordingly, the rejections should be withdrawn.

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The Office Action objected to claim 13 under 37 C.F.R. §1.75, as allegedly being a substantial duplicate of claim 9. Claim 9 has been canceled. Accordingly, the objection should be withdrawn.

The Office Action rejected claims 1, 7-13, and 15-17 under 35 U.S.C. §102(b) as being anticipated by Lindstrom, U.S. Patent No. 5,046,930. Claims 7-9 and 11-12 have been canceled. The rejection is respectfully traversed in so far as it applies to the remaining claims.

Independent claim 1 has been amended to recite, *inter alia*, at least one oil passage configured to connect the clearance with a piston chamber, wherein the at least one oil passage is configured to allow lubricating oil to escape from the clearance into the piston chamber, and wherein the at least one oil passage is provided in a first inside surface of the piston with which the one end of the connecting rod is in contact. Lindstrom does not disclose or suggest such features, or the respective claimed combination of independent claim 1.

Rather, Lindstrom discloses a connecting rod cooling and lubrication system. Lindstrom teaches providing a central passage 62 in a connecting rod 64 in communication with a passage 58 in a crank shaft 20 and an oil pump 46. The central passage 62 branches into two branch lubricating passages 84, 86 provided in piston portion 74. The branch lubricating passages 84, 86 branch around wrist pin 76 and spray lubricant onto an inner surface 94 of crown portion 98 of piston 34. Lindstrom at least does not disclose or suggest at least one oil passage provided in

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a first inside surface of the piston with which the one end of the connecting rod is in contact, or the claimed combination of independent claim 1.

Accordingly, the rejection of independent claim 1 over Lindstrom should be withdrawn. Dependent claims 10, 13, and 15-17, as well as added claim 18, are allowable over Lindstrom at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claims 1, 2, 4-5, and 10 under 35 U.S.C. §102(b) as being anticipated by Stearns. Claim 4 has been canceled. The rejection is respectfully traversed in so far as it applies to the remaining claims.

As set forth above, independent claim 1 has been amended to recite, *inter alia*, at least one oil passage configured to connect the clearance with a piston chamber, wherein the at least one oil passage is configured to allow lubricating oil to escape from the clearance into the piston chamber, and wherein the at least one oil passage is provided in a first inside surface of the piston with which the one end of the connecting rod is in contact. Stearns does not disclose or suggest such features, or the claimed combination of independent claim 1.

Rather, Stearns discloses a bearing including a cup form hollow piston 1, bores 2 and 3, bosses 4, and a connecting rod 9. The connecting rod 9 includes a wrist pin bore 10 and 11 configured to receive a wrist pin 17. A suitable bearing material 12 is provided, which lines elements 10 and 11 and which includes an oil groove 13 which joins aligned apertures 14 and 15

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provided in the bearing material 12 and the flange portion 10, respectively. Stearns at least does not disclose or suggest at least one oil passage provided in a first inside surface of the piston with which the one end of the connecting rod is in contact, or the claimed combination of independent claim 1.

Accordingly, the rejection of independent claim 1 over Stearns should be withdrawn. Dependent claims 2, 5, and 10 are allowable over Stearns at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claims 1, 7-9, 11, 13-14, and 16-17 under 35 U.S.C. §102(b) as being anticipated by Barraja-Frauenfelder et al. (hereinafter “Barraja-Frauenfelder”), U.S. Patent No. 2,372,050. Claims 7-9 and 11 have been canceled. The rejection is respectfully traversed in so far as it applies to the remaining claims.

As set forth above, independent claim 1 has been amended to recite, *inter alia* at least one oil passage configured to connect the clearance with a piston chamber, wherein the at least one oil passage is configured to allow lubricating oil to escape from the clearance into the piston chamber, and wherein the at least one oil passage is provided in a first inside surface of the piston with which the one end of the connecting rod is in contact. Barraja-Frauenfelder does not disclose or suggest such features, or the claimed combination of independent claim 1.

Rather, Barraja-Frauenfelder discloses a piston having a cylinder 1, a connecting rod 3, and a piston 2 with piston body 4, including a thin-walled head 5 and a thin-walled skirt 6. A

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hollow wrist pin 54 disposed for free rotation in bushings 34 and 48 secures the connecting rod 3 to a wrist pin carrier 21. Oil under pressure is pumped upwardly through a bore 50 and into groove 51. Some of the oil lubricates blushing 49 through bores 52 and grooves 53. The remainder of the oil passage passes into a funnel-shaped passage 38, from which it overflows into a chamber 57 formed by a hollow interior of the piston body. However, Barraja-Frauenfelder at least does not disclose or suggest at least one oil passage provided in a first inside surface of the piston with which the one end of the connecting rod is in contact, or the claimed combination of independent claim 1.

Accordingly, the rejection of independent claim 1 over Barraja-Frauenfelder should be withdrawn. Dependent claims 13-14, and 16-17, as well as added claim 18, are allowable over Barraja-Frauenfelder at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

Serial No. **10/773,572**

Docket No. **K-0608**

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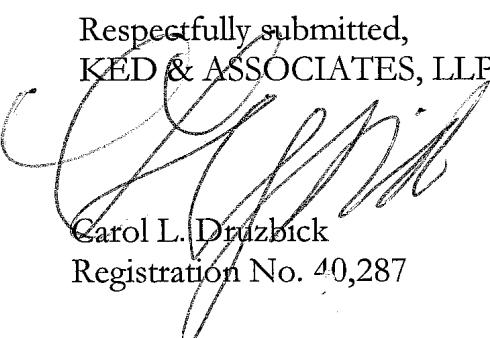
### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: February 27, 2008**

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